



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

AUG 02 2018

CERTIFIED MAIL NO: 7015 3010 0000 3883 8131  
RETURN RECEIPT REQUESTED

Mr. Howard Liu, Owner  
Triple J Imports Inc.  
6654-A Jimmy Carter Blvd  
Norcross, GA 30071

Re: Docket No. R9-CAA-18-1018

Dear Mr. Liu:

Authorized representatives of the United States federal government conducted inspections to determine your company's compliance with the Clean Air Act (CAA) and regulations promulgated thereunder. The details of these inspections are outlined in the enclosed Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement). As a result of the inspections, it was determined that your company failed to comply with the CAA and the associated regulations. The Agreement describes the violations.

Based upon information we currently have, it appears that your company has not previously violated the CAA. Because of this, you may resolve violations using an expedited process that involves significantly lower penalties than those sought through the normal settlement process. The United States Environmental Protection Agency (EPA) is authorized to enter into the Agreement under the authority vested in the EPA Administrator by Section 205(c)(1) of the CAA, 42 U.S.C. § 7524(c)(1). Should your company violate the CAA in the future, the EPA will not offer this expedited process again. After the Agreement becomes effective, the EPA will take no further civil action against your company for the violations described in the Agreement. However, the EPA does not waive any rights to take an enforcement action for any other past, present, or future violations of the CAA or of any other federal statute or regulation.

If you do not sign and return the enclosed Agreement as presented within 30 calendar days of its receipt, and meet all of your obligations under the Agreement, the proposed Agreement is withdrawn without prejudice to the EPA's ability to file any other enforcement action for the violation(s) identified in the Agreement and seek penalties of up to \$46,192 per engine in

violation. Please refer to "CAA Mobile Source Expedited Settlement Agreement Instructions," attached, for instructions on accepting this Agreement.

Sincerely,



Joel E. Jones, Assistant Director  
Enforcement Division, EPA Region 9

Enclosure

**Enclosure**  
**CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT**

DOCKET NO. R9-CAA-18-1018

Respondent: Triple J Import Inc.  
6654 – A Jimmy Carter Blvd  
Norcross, GA 30071

1. The parties enter into this Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement) in order to settle the civil violations discovered as a result of the inspection specified in Table 1, attached, incorporated into this Agreement by reference. The civil violations that are the subject of this Agreement are described in Table 2, attached, incorporated into the Agreement by reference, regarding the vehicles/engines specified therein.
2. Respondent admits to being subject to the Clean Air Act (CAA) and its associated regulations and that the United States Environmental Protection Agency (EPA) has jurisdiction over the Respondent and the Respondent's conduct described in Table 2. Respondent does not contest the findings detailed therein, and waives any objections Respondent may have to the EPA's jurisdiction.
3. Respondent consents to the payment of a penalty in the amount of **\$3,869**, further described in Table 3, attached, incorporated into this Agreement by reference. Respondent agrees to follow the instructions in "CAA Mobile Source Expedited Settlement Agreement Instructions," attached, incorporated into this Agreement by reference. Respondent certifies that the required remediation, detailed in Table 3, has been carried out.
4. By its first signature below, the EPA approves the findings resulting from the inspection and alleged violations set forth in Table 1 and Table 2. Upon signing and returning this Agreement to the EPA, Respondent consents to the terms of this Agreement without further notice. Respondent acknowledges that this Agreement is binding on the parties signing below, and becomes effective on the date of the EPA's ratifying signature.

APPROVED BY EPA:

[Redacted Signature]

Date: 8.2.2018

Joel E. Jones, Assistant Director, Enforcement Division, EPA Region 9

APPROVED BY RESPONDENT:

Name (print): John Wu

Title (print): General Manager

Signature: [Redacted Signature]

Date: 08/09/2018

RATIFIED BY EPA:

[Redacted Signature]

Date: 8-9-18

Joel E. Jones, Assistant Director, Enforcement Division, EPA Region 9

**Table 1 - Inspection Information**

<b>Entry/Inspection Date(s):</b>		<b>Docket Number:</b>	
February 19, 2018/ March 6, 2018		R 9 - C A A - 1 8 - 1 0 1 8	
<b>Inspection Location:</b>		<b>Entry/Inspection Number(s)</b>	
FCL Logistics		9 T J - 6 8 1 4 9 9 2 - 5	
<b>Address:</b>			
23011 S. Wilmington Ave			
<b>City:</b>		<b>Inspector(s) Name(s):</b>	
Carson		Andrew Zellinger, Nathan Dancher	
<b>State:</b>	<b>Zip Code:</b>	<b>EPA Approving Official:</b>	
CA	90745	Joel E. Jones	
<b>Respondent:</b>		<b>EPA Enforcement Contact:</b>	
Triple J Import Inc.		Daniel Haskell (Region 9), (213) 244-1816	

**Table 2 - Description of Violation and Vehicles/Engines**

The 84 scooters described below were found to be imported by Triple J Import Inc. (Triple J) in violation of Section 203(a)1 of the Clean Air Act (CAA), 42 U.S.C. § 7522(a)(1), and the regulations codified at 40 C.F.R. §§ 86.407-78(a), 1068.101(a)(1), and 1068.101(b)(5), which collectively prohibit the importation of engines or equipment containing these engines, unless they are covered by a valid EPA certificate of conformity (COC) or are properly exempted or excluded. The EPA took the muffler/exhaust assembly from the inspected scooter and sent it to an EPA laboratory for analysis. Physical and chemical examination of the muffler assembly of the exhaust system revealed the design of the catalyst contained material significantly different from the catalyst design specified in the COC applications for the engine family. Specifically, the ratio of precious metals in the tested sample differs significantly from the certified design; additionally, the loading for platinum and rhodium was lower than the certified design. The EPA has found no evidence that the scooters are excluded from coverage. Hence, the 84 scooters are uncertified, and they cannot legally be imported into the United States.

Vehicle Description	Claimed Engine Manufacturer	Observed Model	Observed Engine Family	Quantity
Scooters	Triple J Import, Inc.	ZN50QT-62	JAMSC.049MC1	84

**Table 3 - Penalty and Required Remediation**

Penalty	\$3,869
Required Remediation	Triple J Import, Inc. must provide the EPA with a report and documentation showing the 84 Scooters have been exported to a country other than Canada or Mexico.

## CAA MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT INSTRUCTIONS

Within 30 days from your receipt of the Agreement, you must also send the original, signed Agreement, the report detailing your corrective action(s), and proof of payment (meaning, as applicable, a photocopy of the original certified penalty check or confirmation of electronic payment) via CERTIFIED MAIL to:

Daniel Haskell  
Southern California Field Office  
U.S. Environmental Protection Agency Region 9  
600 Wilshire Blvd., Suite # 940  
Los Angeles, CA 90017

In addition, a photocopy of the signed agreement and the original certified penalty check, payable to the United States of America with the case name (Triple J Import, Inc.) and docket number (R9-CAA-18-1018), on the check, must be send via CERTIFIED MAIL to:

U. S. Environmental Protection Agency Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000  
Attn: R9-CAA-18-1018

The Docket Number is located at the top of the left column of the Agreement. Please retain copies of the signed Agreement, the report detailing your corrective actions, and the penalty check for your own records.

If you have any questions or would like to request an extension, you may contact Daniel Haskell of the Enforcement Division at (213) 244-1816. The EPA will consider whether to grant an extension on a case-by-case basis. The EPA will not accept or approve any Agreement returned more than 30 days after the date of your receipt of the Agreement unless an extension has been granted by the EPA. If you believe that the alleged violations are without merit (and you can provide evidence contesting the allegations), you must provide such information to the EPA as soon as possible but no later than 30 days from your receipt of the Agreement.

Unless an extension has been granted by the EPA, if you do not sign and return the Agreement with proof of payment of the penalty amount and a report detailing your corrective action(s) within 30 days of your receipt of the Agreement, the Agreement is automatically withdrawn, without prejudice to the EPA's ability to file an enforcement action for the above or any other violations. Failure to return the Agreement within the approved time does not relieve you of the responsibility to comply fully with the regulations, including correction of the violations that have been specifically identified in the enclosed form. If you decide not to sign and return the Agreement and pay the penalty, the EPA may pursue more formal enforcement measures to correct the violation(s) and seek penalties of up to \$46,192 per vehicle/engine in violation.

